



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Pamela M. Drake et al.
Application No. : 10/763,570
Filed : January 23, 2004
For : COMPOSITIONS AND METHODS FOR RESTORING
BACTERIAL FLORA

Examiner : Lora Elizabeth Barnhart
Art Unit : 1651
Docket No. : 340082.401
Date : July 27, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT AND
RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents:

In response to the Restriction Requirement dated May 10, 2005, please extend the period of time for response two months, to expire on August 10, 2005. Enclosed are a Petition for an Extension of Time and the requisite fee. In response to the Restriction Requirement dated May 10, 2005, Applicants hereby elect Group I, claims 1-8 and 11, drawn to a kit comprising bacteria, a bacterial nutrient, and an antimicrobial agent, and elect the following species, for bacteria components Applicants elect species (c) (i.e., the bacteria listed in claim 7); for the nutrient component Applicants elect Bacterial Nutrient (r) fructooligosaccharides for examination at this time.

Claims 3 and 6 have been cancelled as they no longer read-on the species chosen for prosecution. Claims 1, 2, 4, 5, 7, 8, and 11 are readable on the elected groups and species.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.